

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re MALLINCKRODT PLC, *et al.*, : Chapter 11  
Debtors. : Bankr. Case No. 20-12522-JTD  
: (Jointly Administered)

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ATTESTOR LIMITED AND HUMANA INC., :  
Appellants, :  
v. :  
MALLINCKRODT PLC, *et al.*, :  
Appellees. : C.A. No. 21-1093-LPS

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CITY OF ROCKFORD, *et al.*, :  
Appellants, :  
v. :  
MALLINCKRODT, *et al.*, :  
Appellees. : C.A. No. 21-1150-LPS

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**ORDER**

At Wilmington this **12th** day of **November, 2021**:

Having reviewed the briefing on the pending motions to consolidate appeals (*see* C.A. No. 21-1093 D.I. 18; C.A. No. 21-1150 D.I. 4), as well as the recommendations of Judge Thyng to withdraw these bankruptcy appeals from mandatory mediation (to which there are no objections) (C.A. No. 21-1093 D.I. 23; C.A. No. 21-1150 D.I. 8), IT IS HEREBY ORDERED that:

1. The motions to consolidate (C.A. No. 21-1093 D.I. 18; C.A. No. 21-1150 D.I. 4) are DENIED.
2. These matters are WITHDRAWN from mandatory mediation.

3. The following briefing schedule shall apply:

- a) Appellants' opening briefs due no later than December 13, 2021;
- b) Appellees' answering briefs due no later than January 13, 2022; and
- c) Appellants' reply briefs due no later than January 27, 2022.

While these appeals both arise from the same Bankruptcy Court order, the underlying claims addressed by that order differ, and the various Appellants have no relationship to one another. The Court is not persuaded that consolidation, under the circumstances presented here, will result in judicial economies. There is also some risk that consolidation would result in prejudice to Appellants.



HONORABLE LEONARD P. STARK  
UNITED STATES DISTRICT JUDGE

Wilmington, Delaware